

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

EMMALEE ESTELLE CHURCH,	)	
	)	
Plaintiff,	)	Civ. No. 5:23CV00052-GCM
	)	
v.	)	
	)	
KILOLO KIJAKAZI,	)	
Acting Commissioner of Social Security,	)	
	)	
<u>Defendant.</u>	)	

**ORDER**

**THIS MATTER** is before the Court through a motion by Plaintiff, Emmalee Estelle Church, for an award of attorney's fees, expenses pursuant to the Equal Access to Justice Act. Defendant has consented to that motion.

**IT IS THEREFORE ORDERED** that Plaintiff, Emmalee Estelle Church, is awarded attorney fees in the amount of Two Thousand Seven Hundred Dollars and 00/100 Cents (\$2,700.00). Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the check(s) payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the check(s) payable to Plaintiff directly and deliver the check(s) to the business address of Plaintiff's counsel. The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining after subtracting the amount of Plaintiff's outstanding federal debt. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant to the Order, the amount

of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

Signed: October 10, 2023

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

